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December 5, 2018

Via ECF

Hon. Paul A. Engelmayer  
U.S. District Court (S.D.N.Y.)  
40 Foley Square  
New York, NY 10007

Re: *Lopez et al v. Emerald Staffing, Inc. et al*  
Case No. 18 cv 2788 (PAE)

Notice of Withdrawal as Counsel

Your Honor,

This letter is being submitted with respect to the above-captioned matter and in light of all Defendants securing new counsel (i.e., Diane Lee). As will be discussed infra, the law firm of White, Nisar & Hilferty, LLP withdraws as counsel for Defendants Blue Dog Kitchen and Elizabeth Slavutsky.

By way of background, on September 18, 2018, Ms. Ovrutsky of the law firm of White, Nisar & Hilferty, LLP filed a notice of appearance with respect to its representation of the defendants Blue Dog Kitchen and Elizabeth Slavutsky (ECF #'s 18, 19). Notably, at this time the defendants Emerald Staffing, Inc. and Boris Slavutsky did not have counsel. On October 4, 2018, Ms. Ovrutsky filed motions to withdraw as counsel for the defendants Blue Dog Kitchen and Elizabeth Slavutsky (ECF #'s 23, 24).

By order dated October 5, 2018, those motions were denied; in its order, the Court stated that it would "take up this matter with both parties ... on Friday, October 12, 2018" (ECF # 25). A conference was held on October 12, 2018 whereby the topic of the representation of the defendants Blue Dog Kitchen and Elizabeth Slavutsky was briefly

discussed. Thereafter, on November 15, 2018, Ms. Diane Lee filed a notice of appearance on behalf of “the Defendants Blue Dog Kitchen, Elizabeth Slavutsky, and Boris Slavutsky” (but not including Emerald Staffing, Inc.) (ECF #29). Notably, what makes this somewhat confusing is that the electronic docket on Pacer states that this appearance was entered on behalf of Emerald Staffing, Inc. That same day (i.e., November 15, 2018), Ms. Lee filed an Answer on behalf of all defendants (i.e., on behalf of Emerald Staffing, Inc., Blue Dog Kitchen, Elizabeth Slavutsky, and Boris Slavutsky) (ECF #30). Given the confusion that arose with respect to the wording of the notice of appearance, what appeared on Pacer, and for whom the Answer had been filed, on December 5, 2018, the undersigned (i.e., Ms. Hanson) reached out to Ms. Lee via telephone to confirm that she represents all defendants in this matter. During that phone call, Ms. Lee confirmed that she represents all defendants, and this was further confirmed via an email that same day.

Accordingly, seeing as the defendants Blue Dog Kitchen and Elizabeth Slavutsky are now represented by Ms. Lee (along with Emerald Staffing, Inc. and Boris Slavutsky), the firm of White, Nisar & Hilferty, LLP hereby withdraws as counsel and kindly asks the Court to remove all attorneys associated with this firm (i.e., Ms. Ovrutsky and Ms. Hanson) from the parties’ service lists.

This firm thanks the Court for its attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "SA" followed by a long horizontal line.

Sonia E. Hanson, Esq.